

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2005**

1 On page 3 of the printed A-engrossed bill, delete lines 25 through 45.

2 On page 4, delete line 1 and insert:

3 **“SECTION 4. (1)(a) A person may not knowingly offer for sale, sell**
4 **or transfer a firearm unless the firearm has been imprinted with a**
5 **serial number by a federally licensed firearm manufacturer, importer**
6 **or dealer, or a gunsmith with a federal firearms license, in accordance**
7 **with federal law.**

8 **“(b) A person may not knowingly possess a firearm unless the**
9 **firearm has been imprinted with a serial number by a federally li-**
10 **censed firearm manufacturer, importer or dealer, or a gunsmith with**
11 **a federal firearms license, in accordance with federal law.**

12 **“(2) This section does not apply to:**

13 **“(a) Antique firearms;**

14 **“(b) Firearms manufactured prior to October 22, 1968;**

15 **“(c) Firearms rendered permanently inoperable;**

16 **“(d) The sale, offer to sell, or transfer of a firearm to, or possession**
17 **of a firearm by, a person licensed as a firearm manufacturer, importer**
18 **or dealer under 18 U.S.C. 923; or**

19 **“(e) A gunsmith taking possession of a firearm for the purpose of**
20 **imprinting the firearm with a serial number in accordance with fed-**
21 **eral law.**

1 “(3)(a) A violation of subsection (1)(a) of this section constitutes a
2 Class B violation.

3 “(b) Notwithstanding paragraph (a) of this subsection, a violation
4 of subsection (1)(a) of this section is a Class A misdemeanor if, at the
5 time of the offense, the person has a prior conviction under this sec-
6 tion or section 3 or 5 of this 2023 Act.

7 “(c) Notwithstanding paragraphs (a) and (b) of this subsection, a
8 violation of subsection (1)(a) of this section is a Class B felony if, at
9 the time of the offense, the person has two or more prior convictions
10 under this section or section 3 or 5 of this 2023 Act.

11 “(d) A violation of subsection (1)(b) of this section occurring before
12 September 1, 2024, does not constitute an offense.

13 “(4) A person convicted of any offense under this section shall for-
14 feit the firearm.

15 “(5) As used in this section, ‘prior conviction’ includes a conviction
16 for a violation offense.”.

17 On page 15, after line 35, insert:

18 “**SECTION 16.** Section 4 of this 2023 Act is amended to read:

19 “**Sec. 4.** [(1)(a)] (1) A person may not knowingly **possess**, offer for sale,
20 sell or transfer a firearm unless the firearm has been imprinted with a serial
21 number by a federally licensed firearm manufacturer, importer or dealer, or
22 a gunsmith with a federal firearms license, in accordance with federal law.

23 “[(b) A person may not knowingly possess a firearm unless the firearm has
24 been imprinted with a serial number by a federally licensed firearm manufac-
25 turer, importer or dealer, or a gunsmith with a federal firearms license, in
26 accordance with federal law.]

27 “(2) This section does not apply to:

28 “(a) Antique firearms;

29 “(b) Firearms manufactured prior to October 22, 1968;

30 “(c) Firearms rendered permanently inoperable;

1 “(d) The sale, offer to sell, or transfer of a firearm to, or possession of a
2 firearm by, a person licensed as a firearm manufacturer, importer or dealer
3 under 18 U.S.C. 923; or

4 “(e) A gunsmith taking possession of a firearm for the purpose of im-
5 printing the firearm with a serial number in accordance with federal law.

6 “(3)(a) A violation of subsection [(1)(a)] (1) of this section constitutes a
7 Class B violation.

8 “(b) Notwithstanding paragraph (a) of this subsection, a violation of sub-
9 section [(1)(a)] (1) of this section is a Class A misdemeanor if, at the time
10 of the offense, the person has a prior conviction under this section or section
11 3 or 5 of this 2023 Act.

12 “(c) Notwithstanding paragraphs (a) and (b) of this subsection, a violation
13 of subsection [(1)(a)] (1) of this section is a Class B felony if, at the time of
14 the offense, the person has two or more prior convictions under this section
15 or section 3 or 5 of this 2023 Act.

16 “[*d*] A violation of subsection (1)(b) of this section occurring before Sep-
17 tember 1, 2024, does not constitute an offense.]

18 “(4) A person convicted of any offense under this section shall forfeit the
19 firearm.

20 “(5) As used in this section, ‘prior conviction’ includes a conviction for
21 a violation offense.”.

22 In line 36, delete “16” and insert “17”.

23 On page 16, delete lines 28 through 32 and insert:

24 **“SECTION 18. (1) The amendments to section 4 of this 2023 Act by
25 section 16 of this 2023 Act become operative on September 1, 2024.**

26 **“(2) The amendments to section 5 of this 2023 Act by section 17 of
27 this 2023 Act become operative on September 1, 2024.**

28 **“SECTION 19. In addition to and not in lieu of any other appropri-
29 ation, there is appropriated to the Department of State Police, for the
30 biennium beginning July 1, 2023, out of the General Fund, the amount**

1 of \$356,816, for implementation of the provisions of this 2023 Act.

2 **“SECTION 20. This 2023 Act being necessary for the immediate**
3 **preservation of the public peace, health and safety, an emergency is**
4 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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